REMARKS

As of the 3 May 2007 *Office Action*, Claims 4-8 and 10-15 are pending in the Application. In the *Office Action*, Examiner rejects all pending Claims. Applicant thanks Examiner with appreciation for the careful consideration and examination given to the Application. By this *Response and Amendment After Final Rejection*, Applicant amends Claims 4 and 10. No new matter is believed introduced in this submission as at least ¶¶ 0045-0050 of Applicant's *Specification* supports the amendments.

Applicant submits this *Response and Amendment After Final Rejection* solely to facilitate prosecution. As such, Applicant reserves the right to present new or additional claims in this Application that have similar or broader scope as originally filed. Applicant also reserves the right to present additional claims in a later-filed continuation application that have similar or broader scope as originally filed. Accordingly, any amendment, argument, or claim cancellation presented during prosecution is not to be construed as abandonment or disclaimer of subject matter.

After entry of this *Response and Amendment After Final Rejection*, Claims 4-8 and 10-15, are pending in the Application. No new matter is introduced in this *Response and Amendment After Final Rejection*. It is respectfully requested that the present amendments be entered, and respectfully submitted that the present Application is in condition for allowance for the following reasons.

I. Overview of the Rejections

A. Rejections Under 35 U.S.C. §102

In the *Office Action,* Claims 4-7 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent Nos. 4,611,953 to Owens ("Owens"), 4,459,931 to Glidden ("Glidden"), and 3,788,396 to Shatto et al. ("Shatto").

B. Rejections Under 35 U.S.C. §103

In the *Office Action,* Claims 8 and 10-15 are rejected under 35 U.S.C. § 103(a).

Claim 8 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Owens in view of U.S. Patent No. 4,406,094 to Hempel et al. ("Hempel") or U.S. Patent No. 4,222,683

to Schaloske et al. ("Schaloske").

Claim 8 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Glidden in view of Hempel or Schaloske.

Claim 8 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Shatto in view of Hempel or Schaloske.

Claims 10-14 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Owens or Glidden in view of U.S. Patent No. 4,789,271 to Sullaway et al. ("Sullaway"), U.S. Patent No. 6,409,428 to Moog et al. ("Moog"), U.S. Patent No. 4,869,615 to Galle ("Galle"), or U.S. Patent No. 4,902,169 to Sutton ("Sutton").

Claim 15 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Owens or Glidden in view Sullaway, Moog, Galle, or Sutton in further view of Hempel or Schaloske.

In the present Application, Claims 4-8 and 10-15 as amended, and 29-34, are novel over the cited references. Further, the combination of the features recited in Claims 4-8, 10-15, and 29-34 would not have been a predictable result from a combination of the teachings of the cited references.

II. Claims 4-8 Are Patentable Over The Cited References

Claim 4 as amended is believed patentable over Owens, Glidden, and Shatto because it recites an "adjustable alignment means" that is not disclosed in the cited references. As this feature is absent from Owens, Glidden, and Shatto, it is respectfully submitted that Claim 4, and those Claims ultimately dependent therefrom, are novel over Owens, Glidden, and Shatto.

Claim 4 is directed to a structure for insertion into a foundation, the foundation having an intermediate supporting part and an upper body part having an internal guiding surface. The structure includes an adjustable alignment means which is caused to act on the internal guiding surface after insertion of the structure into the socket to achieve a correct alignment of the structure. Neither Owens, Glidden, nor Shatto disclose such alignment means.

Owens discloses a sub sea tether anchor that includes a "plug," which is retained in a "socket" of a foundation on the seabed. The Examiner identifies items 56, 50 and 46 as alignment means readable on the alignment means of the present Claims. These items, however, are a patentably distinct conventional latching means. Item 46 is a latch segment or dog which has a "doghead" 50. Item 56 is a latching key. The doghead 50 is urged into an annular recess

18 of the socket to retain the plug in the socket. Latching key 56 is a part of an automatic release mechanism. Thus, none of these items has any effect on, or function in relation to the function of the recited "alignment means" of the present Claims.

Further, Owens relates to a tether in the form of a tendon T (Fig. 2) that is attached to the plug by way of a flexible joint 26, which permits rotational movement of the tendon with respect to the plug. In the sense of the present invention, alignment of the tendon T as recited in Claim 4 (i.e. obtaining a desired fixed vertical alignment) is irrelevant in and not disclosed by Owens.

Glidden also fails to disclose an adjustable alignment means as recited in Claim 4. The Examiner refers to items 62, 63 and 56. Item 56 is a snap ring, which is urged radially outwardly into an annular recess 32 of the socket to retain the plug in the socket. Items 62 are helical springs that act on positioning pins 63. The springs 62 and pins 63 are used to urge the snap ring into a retracted and locked condition for removal of the plug from the socket. Thus, Glidden does not teach the function of the recited "alignment means" of the present Claims.

Shatto also fails to disclose an adjustable alignment means as recited in Claim 4. Shatto discloses devices for re-entry into wells on the sea floor, and Figure 6 shows a "bumper head" 149 at the end of a tube string. The well head has a guide cone 154. The bumper head is provided with arms 151 which are hinged at 152 at their lower ends so that they can extend radially outwardly. Springs 153 urge the arms 151 outwardly. The arms 151 contact the guide cone 154 to assist in directing the bumper head to the central well casing 156. Shatto does not disclose the function of the recited "alignment means" of the present Claims.

Shatto further discloses attachment of a drill string, the exact vertical alignment of which is irrelevant. There are several distinctions between the teaching of Shatto and features recited in Claim 4. First, the alignment means act to align the structure of Claim 4 after the end part of the structure has been received in the socket. In contrast, the alignment in Shatto occurs prior to entry of the bumper head into anything that might be interpreted as a socket. Second, Claim 4 requires a positive adjustment of the alignment means to correctly align the structure. In contrast, the alignment means in Shatto are passive – they merely move against the bias of the springs 153 in response to contact with guide cone 154. Therefore, Shatto fails to disclose an alignment means as recited in Claim 4.

For at least these reasons, Owens, Glidden, and Shatto fail to disclose each and every limitation of Claim 4. Thus, Applicant respectfully submits that Claim 4 is patentable over Owens, Glidden, and Shatto, and is in condition for allowance. Further, Claims 5-8 are also believed to be in condition for allowance at least due to their dependence upon Claim 4, and further features defined therein.

Claim 8 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Owens, Glidden, and Shatto in view Hempel or Schaloske. Hempel and Schaloske do not disclose an adjustable alignment means as disclosed in Claim 4, and therefore do not cure the defects of Owens, Glidden, and Shatto with regard to Claim 4 as described above. For at least this reason, the structure as recited in Claim 4 would not have been a predictable result from combining the teachings of the cited references. Thus, Applicant respectfully submits that Claim 8 is patentable over the cited references due to its dependence upon Claim 4.

III. Claims 10-15 Are Patentable Over The Cited References

Claim 10 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Owens or Glidden in view of Sullaway, Moog, Galle, or Sutton. Claim 10 as clarified recites an adjustable alignment means that is not disclosed in the cited references. As this feature is absent from the cited references, it is respectfully submitted that Claim 10, and those Claims ultimately dependent therefrom, are patentable over Owens or Glidden in view of Sullaway, Moog, Galle, or Sutton.

As discussed above with regard to Claim 4, Owens and Glidden fail to disclose the recited adjustable alignment means. Sullaway, Moog, Galle, and Sutton do not disclose the recited adjustable alignment means, and therefore do not cure the defects of Owens and Glidden with regard to Claim 10. For at least this reason, the structure as recited in Claim 10 would not have been a predictable result from combining the teachings of the cited references. Therefore, Claim 10 is patentable since the cited references fail to disclose each and every recited feature.

With regard to Claim 11, the cited references do not disclose a removable alignment means. For at least this reason, the structure as recited in Claim 11 would not have been a predictable result from combining the teachings of the cited references. Therefore, Claim 11 is patentable since the cited references fails to disclose each and every recited feature.

Claim 15 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Owens or Glidden in view of Sullaway, Moog, Galle, or Sutton in further view Hempel or Schaloske. Hempel and Schaloske do not disclose the recited adjustable alignment means, and therefore do not cure the defects of Owens, Glidden, Sullaway, Moog, Galle, or Sutton with regard to Claim 10. For at least this reason, the structure as recited in Claim 4 would not have been a predictable result from combining the teachings of the cited references. Thus, Applicant respectfully asserts that Claim 8 is patentable over the cited references due to its dependence upon Claim 4.

For at least these reasons, Owens or Glidden, Sullaway, Moog, Galle, Sutton, Hempel, and Schaloske fail to disclose each and every limitation of Claim 10. Thus, Applicant respectfully submits that Claim 10 is patentable over the cited references, and is in condition for allowance. Further, Claims 11-15 are also believed to be in condition for allowance at least due to their dependence upon Claim 10, and further features defined therein.

IV. Fees

This *Response and Amendment After Final Rejection* is being filed within 3 months of the *Office Action*, and thus no extension of time fee is believed due.

As amended, the Application does not contain Claims in excess of the number paid for upon original filing, thus no Claim fees are believed due.

Nonetheless, the Commissioner is hereby expressly authorized to charge any fees that may be required to Deposit Account No. 20-1507.

V. Conclusion

This *Response and Amendment After Final Rejection* is believed to be a complete response to the 3 May 2007 *Office Action*. Applicant respectfully submits that all pending Claims are in condition for allowance and respectfully requests issuance of this case in due course of *Patent Office* business. If Examiner believes there are other issues that can be resolved by a telephone interview, or there are any informalities remaining in the application correctable by an Examiner's amendment, a telephone call to Filip Kowalewski at (404) 885-3487 is respectfully requested.

Certificate of Transmission:
I certify that this correspondence is being submitted by e-filing to the U.S. Patent and Trademark Office in accordance with §1.8 on August 3, 2007, via the EFS-Web electronic filing system.

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Respectfully submitted,

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